

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANCISCO RODRIQUEZ,	:	
Petitioner	:	
	:	
v.	:	
	:	
ROBERT SHANNON,	:	
SUPERINTENDENT, SCI FRACKVILLE;	:	NO. 06-3163
AND	:	
THE DISTRICT ATTORNEY OF	:	
THE COUNTY OF PHILADELPHIA;	:	
AND	:	
THE ATTORNEY GENERAL OF	:	
THE STATE OF PENNSYLVANIA,	:	
Respondents	:	

ORDER

AND NOW, this 11th day of September, 2006, upon consideration of the pleadings and record herein, review of the Report and Recommendation of Chief United States Magistrate Judge Charles B. Smith, and review of petitioner's objections, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The Petition for Writ of Habeas Corpus, pursuant to 28 U.S.C. § 2254, is DISMISSED.
3. There is no probable cause to issue a certificate of appealability.

It is so ORDERED.

BY THE COURT:

s/ Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.